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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MARY BENSON, an individual,
Plaintiff,
vs.

Case. No.: 2:19-cv-01949-RFB-VCF

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, in its official capacity; and,
BRET EMPEY, in his official capacity as
Sergeant of the Las Vegas Metropolitan
Police Department;
Defendants.

**STIPULATION AND ORDER TO
EXTEND DISCOVERY
DEADLINES
(FOURTH REQUEST)
[ECF No. 33]**

Pursuant to Fed. R. Civ. P. 16(b)(4) and Local Rule 26-4, Plaintiff MARY BENSON and Defendants LAS VEGAS METROPOLITAN POLICE DEPARTMENT and BRET EMPEY ("LVMPD Defendants"), by their respective counsel, hereby submit this *Stipulation and Order to Extend Discovery Deadlines (Fourth Request)* to request the Court to continue the pretrial and trial dates by sixty-two (62) days.

I. DISCOVERY CUT-OFF DEADLINES

A. The discovery cut-off date shall be rescheduled from April 30, 2021 to **July 1, 2021**;

B. The deadline for the initial disclosure of experts and expert reports shall be rescheduled from March 31, 2021 to **April 30, 2021**;

C. The deadline for the disclosure of rebuttal experts and their reports shall be rescheduled from April 30, 2021 to **June 1, 2021**;

D. The deadline to file dispositive motions shall be rescheduled from May 31, 2021 to **August 1, 2021**; and

1 E. The deadline to file the Joint Pretrial Order shall be rescheduled from June
2 30, 2021 to **August 31, 2021**. If dispositive motions are filed, the deadline for filing the joint
3 pretrial order will be suspended until thirty (30) days after decision on the dispositive motions
4 or further court order.

5 **II. REASON FOR THE REQUESTED EXTENSION**

6 Pursuant to Local Rule 26-4, the Parties submit that good cause exists for the
7 extension requested.

8 **WHEREAS**, the Parties have been diligently conducting discovery. Since January
9 2020, the Parties have propounded and responded to requests for written discovery; have
10 produced documents relating to liability issues; and have been working to coordinate
11 depositions.

12 **WHEREAS**, additional time is needed for discovery due to the current State of
13 Emergency resulting from the COVID-19 virus, including ongoing office closures and
14 limitations on travel and personal contact, the Parties have been limited in their ability to
15 conduct depositions.

16 **III. STATUS OF DISCOVERY EFFORTS TO DATE**

17 The following discovery has been completed to date:

18 1. LVMPD Defendants provided their Fed. R. Civ. P. 26.1 Production of
19 Documents and Witness List on January 6, 2020;

20 2. Plaintiff Mary Benson provided her Fed. R. Civ. P. 26.1 Production of
21 Documents and Witness List on January 7, 2020;

22 3. LVMPD Defendants propounded their First Set of Requests for Production
23 of Documents to Plaintiff Mary Benson on January 17, 2020;

24 4. Plaintiff Mary Benson responded to LVMPD Defendants' First Set of
25 Requests for Production of Documents on March 10, 2020;

26 5. Plaintiff provided her First Supplement to her Fed. R. Civ. P. 26.1
27 Production of Documents and Witness List on March 10, 2020;

28 6. Plaintiff Mary Benson propounded her First Set of Requests for Production

of Documents to Defendant Sgt. Bret Empey on March 13, 2020;

7. Plaintiff Mary Benson propounded her First Set of Requests for Production of Documents to Defendant Las Vegas Metropolitan Police Department on March 13, 2020.

8. LVMPD Defendants provided their First Supplement to their Fed. R. Civ. P. 26.1 Production of Documents and Witness List on May 11, 2020;

9. Defendant Sgt. Bret Empey responded to Plaintiff Mary Benson's First Set of Requests for Production of Documents on May 11, 2020;

10. Defendant Las Vegas Metropolitan Police Department responded to Plaintiff Mary Benson's First Set of Requests for Production of Documents on May 11, 2020; and

11. Plaintiff provided her Second Supplement to her Fed. R. Civ. P. 26.1 Production of Documents and Witness List on February 23, 2021.

IV. DISCOVERY REMAINING

The Parties agree that the following discovery must be completed:

1. The deposition of Plaintiff;
2. The depositions of Defendants;
3. The depositions of witnesses;
4. The deposition(s) of the Defendants' Person(s) Most Knowledgeable;
5. The deposition(s) of expert witness(es) designated by all Parties;
6. Additional written discovery; and
7. Additional records collection.

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V. CONCLUSION

Based on the above, requisite good cause exists to warrant an extension of the Scheduling Order (ECF No. 31) deadlines. Accordingly, the Parties respectfully request that this Court extend the current deadlines by ~~thirty (30)~~ ^{sixty-two (62)} days in order to allow all Parties to adequately complete discovery and to resolve present scheduling conflicts.

IT IS SO STIPULATED.

DATED this the 10th day of March, 2021.

DATED this the 10th day of March, 2021.

MARQUIS AURBACH COFFING

MCLEATCHIE LAW

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/s/ Alina M. Shell

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ORDER

IT IS SO ORDERED.

DATED this 11th day of March, 2021.



U.S. MAGISTRATE JUDGE